## THE COURTS.

Decision in the Juvenile Guardian Society's Injunction Suit.

THE CHARITY BOARD'S VISITORIAL POWER.

Judge Donohue Grants a Stay of Proceedings in John Daly's Case.

CONFUSION ABOUT THE NEW CODE.

Chief Justice Daly, yesterday, rendered a very laborate and lengthy opinion in the case of the New ork Juvenile and Guardian Society against Theodore Roosevelt and others, members of the State Board of Charities, which was argued before him some time The Society, as will be remembered, sought to restrain the defendants from publishing in the news papers alleged garbled statements of their investiga tion into its affairs, which it was also claimed was un-authorized and illegal. It was further claimed that the publications of these statements were libellous, and as such a proper subject for the restraining power

of a Court of Equity. The Chief Justice, in his opinion, says that it was decided in Brandretb vs. Lance, 8 Paige, 24, that a court of equity has no jurisdiction to restrain the publication of a pumphlet or literary work upon the pround that its publication would be libellous, for the reason that it would be an intringement on the liberty of the press and a preventive to justice, which the Legislature has decided cannot be safely entrusted to any tribunal consistently with the principles of free government. It appears from the allidavits that the investigations conducted by the deferdants have been attended by reporters of the public press, and that the publications which have appeared are of such proceedings as were taken down by the reporters and published in the respective newspapers. Conceding that this is done with the defendants' assent and that the publications are defamatory and libelious, they cannot be restrained by a court of equity, and the proper remedy is by a civil action or by indictment, its restraint by this court being unconstitutional. This also applies to the temporary injunction. The plaintiff siles asks that the defendants be enjoined from carrying on the investigations, or, if that is denied, that they be restrained by no conducting it except in the manuer pointed out in the complaint. The plaintiff sleep that the State Board has any visitival or other power over them, or, if they have, that they can only use it in open and public examinations, with right to the society to appear and defend. The ludge says that the victorial power is very extensive individuals in connection therewith extends to my charitable, eleemosynary, correctional or reformatory institution of this State except prisons, whether receiving State aid or maintained by municipalities or other duties in connection therewith extends to my charitable, eleemosynary, correctional or reformatory institutions embraced in the act shall be eligible to the office of commissioners of exercise any of the powers pertaining to their appointment as Charities exercise the powers referred to, and could not, therefore, be appointed Commissioners or exercise any of the powers pertaining to that office in the connecti lication of a pumphlet or literary work upon the ground that its publication would be libellous, for the on that it would be an intringement on the liberty

STATE PRISON FOR LIFE. John Daly, the young man who was last week con-cted of murder in the second degree for his particlpation in the killing of Francis J. Reilly, on the morning of the 4th of March, at the corner of Lewis and Stanton streets, was yesterday called to the bar for sentence by Assistant District Attorney Horring. The prisoner, who is quite youthful looking, seemed to fully appreciate the terrible predicament in which he was placed, and awaited his doom with apparent trepl-

fully appreciate the terrible predicament in which he was placed, and awaited his doorn with apparent trepidation. A postponement of the sentence was asked for, but the prosecuting counsel urged that no step could possibly be taken on the prisoner's behalf now that the motion of Mr. Howe for a new trial was denied. Judge Gildersieeve, in passing sentence, said that Mr. Howe bad done all that the prisoner could hope for up to the present stage of the case. The prisoner had been convicted by a jury of intelligent citizens, and nothing now remained but to pass the sentence which the law in such cases directed. It was fortunate, continued the Judge, that the prisoner had not been indicted for murder in the first degree, for it was possible he might have been convicted of that offence. The prisoner was a young man, and the punishment that was to be visited upon him was serious, yet not more serious than the circumstances warranted. In the judgment of the Court the conviction was amply sustained by the evidence adduced. If any error had been committed throughout the trial the coursel who defended the prisoner would, doubtless, take such action as the opportunities presented. It only remained for the Court to impose the penalty which the law prescribed—that the prisoner be confined in the State Prison at hard labor for the term of his natural life.

Atter the sontence had been pronounced Mr. William State Prison at hard labor for the term of his natural life.

After the sentence had been pronounced Mr. William F. Howe, his counsel, hastened to the Supreme Court, Chambers, and made an application for a writ of error and stay of proceedings in behalf of his client, Mr. Howe submitted that he had taken numerous legal exceptions throughout Daiy's trial, which he was convicted would have the effect of reversing the conviction on appeal to the General Term. Judge Donohue granted Mr. Howe's motion and allowed the writ of error and stay of proceedings. This will prevent the authorities from taking Daiy to the State Prison, and he will be kept in the Tombs until his case is argued at the General Term.

The new Code of Procedure, a part of which went into operation on the 1st inst, seems to have created some confusion among lawyers. At all times since it was first proposed there has been a difference of ponion among members of the Bar as to the necessity and wisdom of the change. Those opposed, while admitting that the old code was in many of its essential points indefinite, and thereby led to increased intig tion in order to settle questions of practice, yet it had been so long in operation that nearly all those mixed juestions had been put at rest by a judicial interpre atton of its provisions, the practice under which had sow become comparatively well settled. With the iniroduction of a new code they beneved the same old
ioniused condition of practice would be revived, and
the same old experience would have to be
passed through by lawyers and suitors before a definite
interpretation of all the new provisions would be
secured. The friends of the measure, on the other
hand, claimed that the new code, in all its important
parts, would be substantially the same as the old, only
those portions of the latter being eliminated which
have been characterized by indefiniteness, confosion
and terms in conflict with other and less doubtful sections, in place of the old objectionable sections hew ones were to be introduced
to clear that he who roms might not only read,
but comprehend. To judge from the expressions
let fall from the lips of many members of the liar
about the courts generally the first fruits of the inpovation do not seem to be agreeable to them. Not
only did they seem to be in doubt as to what the provisions of that portion of the new code which has
gone into operation are, but also in doubt whether
those provisions had actually gone into operation,
whether the present Legislature might not take a notion in its expiring hours to sweep the whole away.
Whatever may be the final result the members of the
profession evidently feel at present like horses with
new and not very easy fitting harness.

POLICEMEN AND THEIR CREDITORS. The power to attach the salary of policemen in the tands of the Police Commissioners has been a dissuted question for some time past, and a judicial ter\_ matter of interest to a large class of citizens, and particularly to unfortunate policemen who are at the particularly to unfortunate policemen who are at the mercy of rapacious creditors. Peter Hassing has brought a suit against Jacob B. Kiein, a policeman on the force, the determination of which will test this disputed nower of attachment. Hassing recently obtained an attachment against Kiefn's salary, and on an application made by Mr. McLean before Chief Justice Daly, in the Special Term of the Court of Common Pleas, Yesterday, an order to show cause

why the attachment should not be vacated was

DAVID GRAHAM'S WILL The will of David Graham, formerly a drum major of the Seventh regiment and for many years a member of the orchestra of Wallack's Theatre, has been filed in the Surrogate's Office. He legves a house and lot in the Surrogate's Office. He leaves a house and lot in Franklin avenue, Morrisania, "to my present wife Delia Murphy Graham, and her children, feeting assured that she will nover see my children want while she is able to provide for them." To his endest son, David Graham, he leaves two lots in Central Mount Vernon and his music and musical instruments, and the rest of his personal property he leaves to his widow, Delia, "rather than to her who has no legal right to the name she now bears." Notice of contest to the will has been filed by Caroline Graham and her three children, she claiming that she is "the only legal widow" and her children "the only legal children" of the testator, and the will was procured by fraud and unque influence.

SUMMARY OF LAW CASES. Jacob Elmer, who was arrested on the witness stand about ten days ago, in the United States Court, on a ge of working in an illicit distillery, was yester-

day discharged by Commissioner Shields. Writs of habeas corpus were granted yesterday, by Judge Donohue, in Supreme Court, Chambers, in favor of Catharine Ryan and Mary Jackson. Both are on Blackweil's Island, the first named for disorderly conduct and the other for what her petition saits not For Catharine it is proposed to give bail, and Mary in sists she should be free without bail, as her confine

The trial of the suit of the Atlantic and Pacific Tele graph Company against the Western Union Telegraph

ment is illegal.

The trial of the suit of the Atlantic and Pacific Telegraph Company against the Western Union Telegraph Company and others was continued yesterday before Judge Sanford in the Superior Court. Mr. Edison was placed on the stand and most of the day was occupied in explaining his telegraphic inventions. General Butler took an active part as interrogator. The trial will be resumed to-day.

The case of the United States against Jules Thouret, mail clerk for Alexander Denham, charged with lorging the indorsement of his employer on money orders, was set down for examination yesterday before Commissioner Shelids. The accused waived examination and was held in \$1,500 to await the action of the Grand Jury.

An order was entered yesterday in Supreme Court, Chambers, by Judge Donohue, directing that the jurors to be summoned in the case of The People vs. Peter B. Sweeny be drawn in the office of the Commissioner of Jurors instead of the office of the County Clerk. The case and became necessary under the provisions of the mas and became necessary under the provisions of the new code, which went into effect on the 1st inst., and in this respect changed the provisions of the statute.

In the matter of the will of Miss Mary M. Danser, the examination of witnesses was continued yesterday before Surrogate Calvin. Mr. William A. Butler, one of the subscribing witnesses to the will, was recalled for cross-examination. A motion was made for an adjournment till June, in consequence of an accident to counsel for the contestant, Mr. William A. Butler, one of the executor of the will. After some discussion the further hearing of the case was set down for Monday next.

On potition of Jarvis Slade, the receiver of the Industrial Insurance Company, he was relieved from duly by an order of Judge Donohue, entered in Supreme Court, than the new has eash on hand amounting to nearly \$17,000 and assets estimated at about \$3,000. Among the latter are counted some Alabama claims, which it is believed, are of hish amounting to Fro

## DECISIONS.

SUPREME COURT-CHAMBERS.

DECISIONS.

SUPREME COURT—CHAMBERS.

By Juage Lawrence.

Matter of Ford.—Although there were two contracts in this case there was but one work, and that work had not been completed when the act of 1872 was passed; consequently this case does not fall within the limitation imposed by the Court of Appeals upon the operation of the decision in the case of Penguet when the latter case was before that Court on a motion for a reargument. If I correctly understand the opinion of the Gourt of Appeals in that case the Court bods that where the work was completed before the act was passed the validity of the assessment may be contested under the exception contained in the seventh section of the act, although there may have been a certificate by the contract Commissioners; but, as to work completed after the passage of the act, the certificate of the Commissioners precludes the vacation of the assessment. (See also matter of Penguet, 5 Hun, 434, 437.) It makes no difference that the work was done under two contracts, so far as the substantial rights of the petitioner are concerned. (People v. Mayor, &c., 6 Hun, 653.) There were irregularities in the performance of the work, but I am not prepared to say that there was actual irrad in the letting or execution of the Quinn contract, and the Commissioners having found that the Farley contract was free from fraud the doctrine of the Penguet case compels me to deny this application.

Matter of Burmeister.—I do not appreciate the distinction which its sought to be drawn between the words "larging" and "praving," and nowithstanding the additional testimony (aken since this case was sent back by the General Term for intriner proof, I adhere to the view long entertained by me that the words "paving" and "praving," as employed in the acts of 1872 and 1874, include the sidewalks, the cross-walks, the curbs and gutter stones and the carriage way. The remarks of Mr. Justice Allen in the case of the matter of Phillips (66 N. Y., 22 and 23) leave no room for doubtlin my mind upon this po

denied.
Wolf vs. Phillips. —Memorandum.
People vs. Mason Manufacturing Company. —I want see counsel.
McNamara vs. Sexton.—No cause for order.
Dunn vs. Borgatein and another.—Must be r

SUPREME COURT, CIRCUIT-PART 2. By Judge Barrett.

Duden, et al. vs. Waitzielder.—See opinion.

By Judge Lawrence.

Gilbert and another, &c., vs. Marsh, &c.—Case and amendments settled.

COMMON PLEAS-CHAMBERS.

By Judge C. P. Daly. New York Juvenile Guardian Society vs. Roosevelt

ee opinion. Candolar vs. Harrington.—Motion vacating judgment granted.
Devin vs. King.—Motion granted.
Ahr vs. Borgstedt; Phillips vs. Sharpe; McNeal vs.
Allen.—Applications granted.

GENERAL SESSIONS-PART 2. Before Judge Gildersleeve. THE FATE OF MARY STEWART.

The notorious woman Mary Stewart, who has figared so prominently and so often as the complainant against police officers and express drivers for imag thary outrages committed upon her at divers times since 1874, whose stories created sympathy, and whose career has been remarkable and to some extent in-explicable, was summoned to the bar for sentence explicable, was summoned to the bar for sentence by Assistant District Attorney Lyon yesterday, she having pleaded guilty to the charge of perjury. Mr. J. R. Fellows, who had been assigned as counsel, expressed his belief that the accused was insane, offering as a reason for his opinion that she had made all the take charges without any apparent motive. Judge Gildersleeve took a mereiful view of the case, intimating that if she were of unsound mind she would be kindly taken care of by the proper authorities, there mental condition would, doubtless, be invessigated on her arrival at Sing Sing Prison, to which he would sentence her for the term of one year. The prisoner, with a joyful look, thanked the Court and gleefully left the scene.

PLEAS AND SENTENCES.

James Carney, who gave his residence as No. 144 West Nineteenth street, pleaded guilty to burgiary in the second degree. The prisoner had, on the 21st o April, broken into the boarding house of Mrs. Matilda Wallace, of No. 40 West Twen-y-sixth street, and stolen a quantity of plate. He was sent to the State

Prison for five years.
William Crawford broke into the steamtur Gorilla.

lying at the foot of Franklin street, and carried of all the extables he could by his hands upon. He pleaded guity and was sentenced to two years and a haif in the State Frison.

William Massett, of No. 695 Sixth avenue, a watchmaker in the employ of C. H. Phillips, of No. 677 Sixth avenue, was detocted in the act of stealing a watch, and the fact being ascertained that he had taken other property he was arrested. He pleaded guity to the charge of embezziement and was sent to the Peniteuliary for one year.

Mary Fower, oi No. 10 Mott street, was sent to the State Frison for one year for stealing a watch, the property of Henry Artes, in a Bowery saloon.

Thomas Conway was tried on an indictment charging him with felonious askault on Jeremish Haggerty, of No. 24 Vandewater street, whom, it was alieged, he stabbed on the 16th of Aprit, at No. 17 Cherry street. Mr. Price, who defended the prisoner, produced a number of witnesses, who set forth that the complainant and his iriends were the aggressors, and that the stabbing was not done by the accused. The prisoner was acquitted.

THE GBAND JURY DISCHARGED.

THE GRAND JURY DISCHARGED. Before discharging the Grand Jury yesterday, Judge valuable services they had rendered—as many as 320 bills having been found. The foreman, Mr. Gedney, was presented by the members of the Grand Jury with an eugrossed testimonial expressive of their apprecia-

A CAUTION. Bernard I. Fredericks a Long Island reporter, who was indicted on the charge of obtaining money under was indicted on the charge of obtaining money under false protences in selling bogus news to evening papers, was arraigned at the bar. It was alleged that the accussed was in the habit of supplying imagibary accordance never to have occurred. The complainant in the case having expressed his desire that the charge should not be pressed, the prisoner was discharged on his own recognizance at the suggestion of Assistant District Atterney Russell.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Donohue.—Nos. 24, 72, 117, 180, 262, 294, 296, 297, 307, 309, 312, 315, 316, 317, 322, 325, 328, 338, 330, 332.

SUPERIOR COURT—SPECIAL TERM—Held by Judge Sandford.—Case on—No. 10. No day catendar.

MARINE COURT—TRIAL TERM—Part 2—Held by Judge Sheridan.—Nos. 8751, 8462, 9163, 9361, 9300, 7642, 8776, 9341, 9388, 9389, 9549, 7677, 9414, 9612, 9410.

COURT OF GENERAL SESSIONS—Part 2—Held by Judge Gilderaleeve.—The People vs. Francis Covert, forfery, continued. The ioliowing cases are placed on the calendar for pleading only:—The People vs. Edward Dun, leionious assault and battery; Same vs. Edward Dun, burglary; Same vs. Thomas Lappin and Hugh Burtyman, burglary; Same vs. William King, burglary; Same vs. Kaic Fornis, grand larceny; Same vs. Edward J. Lynch, grand larceny; Same vs. Edward J. Lynch, grand larceny; Same vs. Edward J. Lynch, grand larceny; Same vs. Benjamin Frankford, grand larceny; Same vs. Benjamin Fr COURT CALENDARS-THIS DAY.

MARINE COURT BUSINESS.

Part 2-Trial Term. -Cases tried and otherwise Part 3-Trial Term. - Cases tried and otherwise Total business in Chambers..... 1,653

THE CONTESTED SURROGATESHIP. The case was opened for the defence in the quo war-ranto proceedings brought by Abram H. Dailey against Walter A. Livingston, yesterday, in the Supreme Court, Kings county, before Justice Gilbert and a jury. There was a large attendance of politicians at the There was a large attendance of politicians at the trial. Considerable testimony was taken touching the manner in which the ballot boxes were guarded while at police headquarters, so as to prevent their being tampered with. Witnesses who had served as canvassers and inspectors of election in several of the disputed districts were also examined at length as to the explanation of the discrepancy between the returns and the number of ballots found in the boxes. The result of the entire day's proceedings may be summed up as having been to place in evidence proof of Livingston having received twenty-one ballots, which were not given to him. It is expected that several ballot boxes will be opened and their contents recounted to-day. The friends of the defendant mysteriously promise some sensational developments as the trial progresses.

RAILROAD DEPOT LITIGATION. Argument was beard before Justice Gilbert in the Supreme Court, Kings county, yesterday, in the matter of the objections of certain property holders to the award made by the Commissioners who assessed the valuation of the land to be taken for the enlargement valuation of the land to be taken for the enlargement of the Prospect Park and Concy Island Railroad Depot, at Twentieth street. An order was recently obtained from Justice Dykman staying the proceedings of the railroad company. The owners of the property allege that the proceedings of the company are defectly and irregular, inasmuch as the interest of parties having liens on the property has been overlooked, and that the award should have been twice as large as that made by the Commissioners. The delence is that the award is ample and that the statutes have been compiled with.

COUNTERFEITERS INDICTED. The United States Grand Jury have found indictments against George, alias Charles Smith, George Williams and William Johnson for passing counteriett coin. The two first named prisoners were arrested at Staten Island while in the act of passing spurious Staten Island while in the act of passing spurious coin of the denomination of flity cents, a large number of which were found in their possession. Johnson was arrested in this city several weeks ago on the charge of making and circulating flity-cent bogus coins. When his residence, in Taylor street, Brooklyn, E. D., was searched by Captain Worth, evidence of his having been pretty extensively engaged in the nefarious business was found there. The prisoners, who will plead guilty to the Indictments, will be sentenced in the United States Circuit Court, Brooklyn, by Judge Benedict.

SUING HIS MOTHER.

A temporary injunction was granted by Judge Rey-nolds, in the Brooklyn City Court, yesterday, on motion of the counsel for Peter M. Fleckser, to restrain Elizabeth Fleckser from disposing of certain property held by her. The father of the plaintiff, who was a heid by her. The father of the plaintiff, who was a tobacconist, died in September, 1876, leaving an estate worth \$45,000. Peter, being an only child, was the heir-at-law, but he was very dissipated, and his mother, who is the defendant in the suit now instituted, induced him to assign to her all right and title in the estate for sale keeping, in consideration of "love and affection and \$1," which latter amount was not paid, he made her an assignment of the whole estate on September 9. A month later he got married, and since them has been steady and industrious in his habits. A short time ago he was notified by his mother that he must vecate his piace of habitation, No. 758 Flushing avenue, as defendant was about to seif the house, and she claimed that all the property was absolutely her owa Peter then brought suit to set aside the assignment or to have it declared a trust, and to compel his mother to reconvey the property to him. Argument will be heard on the motion to make the injunction granted permanent to-morrow.

THE CITY DEBT.

The financial statement of Comptroller Kelly for the month of April was issued yesterday. The following are its principal points:—City debt, April 30, \$126,022,253 78; bonds issued since January 1, 1877, \$8,729,701 90; amounts paid out by warrants during same period, \$16,741,368 10.

RICHMOND COUNTY'S TREASURY.

The Richmond County Supervisors and the experts have concluded their investigation of the accounts of have concluded their investigation of the accounts of ex-County Treasurer Hugh McRoberts. Mr. McRoberts says that the experts have doubliess made a correct statement according to the books and papers to which they have had access, and that their balance sheet is right; but the whole amount, as found by them, is not his indebtedness—there being many thousands which should have been carried back to the accounts of former treasurers. Mr. McRoberts says his indebtedness will be shown to be only about \$30,000. He says he will be ready to submit his statement to the Supervisors in about two weeks.

THE LECTURE SEASON. DEV. WILLIAM R. ALGER WILL, LECTURE THIS Levening at 8 o'clock at the Churen of the Measish, corner 34th st. and Park av. Subject, "The Uses of Poetry." Tickets 50 cents,

FINE ARTS. Af Philvair Sale-Five GRAND PAINTINGS OF the old masters. Now on exhibition at GIBBONS' Art Gallery (second floor), corner 5th av. and 17th at.

MATRIMONIAL. AWTHERIONIAL.

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Stols, Grates, &c., removed to 75 and 77 West 23d st., Masonic Temple, opposite Booth's Theatre.

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DEAUTIFUL ARTIFULIAL TERTH. \$6; GUM, \$8; Builde, \$1; warranted. "New York Doutal Rooms." 202 6ab am. likh and 17th. Established 1871. Dr. MKADER

UNQUALIFIED HIT.

AMUSEMENTS. AMUSEMENTS. CROWDED HOUSES
attest the GREAT SUCCESS of the
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Admission, 50c. Reserved seats. \$1.
Natinees Wednesday and Saturday. EVENING. PPP RRR II NN N CCC EEEE 888
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TO MORROW, at 2. Positively PAREWELL MATINEE OF "THE PRINCESS ROYAL." Reserved Saate \$1. SATURDAY NIGHT, Mr. LEWIS! HENEFIT. Positively last night of THE PRINCESS ROYAL.

MONDAY NIGHT. MISS NEIL-SON as VIOLA in Shakespeare's TWELFTH NIGHT. \*.\* Box sheet open. WAREWELL MATINEE,

THO MORROW, MAY 5, AT 2.

5TH AVENUE THEATRE.
TO MORROW NIGHT, MAY 5.
Mr. JAMES LEWIS' BENEFIT.
Positively LAST performance of THE PRINCESS ROYAL DRINCESS ROYAL. POSITIVELY LAST NIGHT.

5TH AVENUE THEATRE. Monday Evening, May 7, first night of the PAREWELL ENGAGEMENT, prior to her departure for Europe, of Miss NEILSON, on which occasion she will appear lor the first time as VIOLA in Shakespeare's TWELPTH NIGHT. 5TH AVENUE THEATRE.

Mr. MAX STRAKOSCII has the honor to annume that he has arranged with Mr. Augustin Daly for a series of twelve representations by MISS NEILSON.

England's most distinguished Shakespearian interpreter. Miss Nellson's approaching performances at the Fifth Avenue Theatre will bring to a close that artist's FOURTH AMERICAN TOUR, the success of which, histrionic and material, has exceeded even that of her earlier visits. Miss Nellson is to appear at the Fifth Avenue Theatre on

MONDAY EVENING, MAY 7, in her most fascinating creation of Viola, in Shakespeare's exquisite Comedy of "TWELFTH NIGHT."

Box sheet now open.

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HARRIGAN & HART.

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LOVE AND INSURANCE. HARRIGAN AND HART.

CALLAHAN, THE DETECTIVE. ANNIE FOX.

Aldine, Nellie St. John, Cummings and Hines. The Political Coons, McCullough and Casey. Oakes Rose, Billy Gray. WALLACK'S.

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Proprietor and Manager. ... Mr. LESTER WALLACK
The Manager is compelled, from
COMING ARRANGEMENTS,
to announce (in spite of anabated attractions),
THE LAST NIGHTS
of

THE LAST NIGHTS

ONY AWFUL DAD.

The audience was kept in a roar of laughter from first to last. "My Awful Dad" is unquestionably the most brilliant hit of the Wallack season.—Herald.

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THE AWFUL DAD.

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THE LOVESICK BACHELOR,

THE WIDE-AWAKE CLERKS,

THE GHARMING WIDOW,

THE PAIR FIANCEE AND THE GHARMING WIDOW,

THE PAIR FIANCEE AND THE CHARMING WIDOW,

THE REWENT SATURDAY AT 1:30.

BOX BOOK OPEN TWO WEEKS IN ADVANCE.

UNTERSOR WATHERE OF TWO WEEKS IN ADVANCE.

THE GREAT NEW YORK AQUARIUM, BROADWAY

Carriages may be ordered at 10:30.

THE GREAT NEW YORK AQUARIUM, BROADWAY and 35th st. Open daily from 9 A. M. till 10 P. M. Marveilous Triple Tailed Japanese Fishes. The celebrated Mr. He-No. Beautiful varicolored Fish, for which \$2,000 was offered and refused. Now on exhibition. Miss SADIE LUGIN, the accomplished Aquanant. Sub-Marine Performances.

Pyke's MADRIGAL BOYS and GLEE CLUB, Elegant Solos, Duets and Choruses, Anencon and Evening Orchestral Concerts. Curlous river, lake and ocean Creatures. Admission, 50 cents. Children half price,

TOWERY THEATRE. BOWERY THEATRE.

PRIDAY NIGHT, JOINT BENEFIT OF MESSES.

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will be presented two great sensation Dramas,
MARKED FOR LIFE AND
WIDE AWARE.
GRAND FAMILY NATINEE SATURDAY AT 2.

GRAND FAMILY MATINEE SATURDAY AT 2.

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SATURDAY EVENING, MAY 5, 1877,
GRAND COMPLIMENTARY BENEFIT TO
CHARLES J. JONES and ANDREW BOYD
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STEINWAY HALL.
On Saturday, May 5, at 2 P. M.
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F. BRANDEIS (New York),
H. GARTER (Trinity Church),
E. PERARD (Beston),
E. PERARD (Beston),
E. PARSONS (New York),
J. K. PAYNK (of Cambridge College),
H. MAYLATH (New York),
W. SIERWOOD (Boston),
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Seats cash be had at Steinway's and Schuberth's
ADMISSION, ONE DOLLAR; secured seats, 21 30. THE ONLY BAND OF MINSTRELS IN NEW YORK.
THE GREAT CALIFORNIA MINSTRELS
AT TONY PASTOR'S MATINEE TO-DAY.

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Matinee. 8-THE SENSATIONAL 8. THE SEVENTH

EEGIMENT PLATOON DANCE.

Sam Holdsworth and James Danvers. Duettists: McVicker
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Gymnasts. New Bailet of "A Night in Venice;" new Pantomime of "A Soldier Hero."

GREAT HIT OF FRANK GREAT INITATIONS OF PROMINENT PEOPLE BY AT TONY PASTOR'S MATINEE TO-DAT. AT TONY PASTOR'S MATINEE TO-DAY.

LAST OF THE SEASON. LAST OF THE SEASON. Twenty-second Infanty, N.G.S.N.Y.

TUESDAY EVENING, May S, 1877, as eight o'clock, Grand Military Reception and Dress Parade.

the Hon, Smith Ely, Jr., Mayor of the city, and Major General Alex. Shaker and staff, accompanied by the President of the Board of Aldermen and the Armory Commissioners. The great band of the regiment mader the direction of Mr. P. S. Glimore.

PARISIAN VARIETIES, | MATINEE TO-DAY, 16th st. and Broadway. | To night, at 8:15.

PARISIAN VARIETIES, MATINES TO-DAY,
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A GRAND BILLIARD EXHIBITION WILL BE GIVEN this evening between W. SEXTON and A. GARNIER at the latters piace. L922 Broadway. A Practice Game of 499 points will be played between the two experts. TONY PASTOR'S MATINER TO-DAY.
SEATS
TONY PASTOR'S MATINER TO-DAY.

NEW YORK HISTORICAL SOCIETY-THE SOCIETY
will celebrate the One Hundredth Anniversary of the
Adoption of the Constitution of the State of New York
(29th April, 1777), by a Commemorative Meeting at the
Academy of Music, on the evening of Tucsday, the Sth of
May, at 80 clock. Charles O'Conor, Teap, will deliver an
Address on "The Constitutions." Tickets are now ready for
distribution, to members only, at the Library, 170 2d av.
Tickets not called for before Saturday, May 5, will be distributed as extra thekets to members who apply for them.
No person will be admitted without a ticket. No tickets
are for sale, for can they be procured at the door.

ANDREW WARNER, Recording Secretary.

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ADMISSION 25C.

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EVERY NIGHT
CABLE SPECIALS FROM
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Box Sheet now open for sale of Seats.

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Comedy, in three acts, by Kaiser.

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